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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE BROCADE COMMUNICATIONS
SYSTEMS, INC. DERIVATIVE
LITIGATION**

This Document Relates to:

ALL ACTIONS

Case No. C 05-02233 CRB

**STIPULATION AND ~~[PROPOSED]~~
ORDER EXTENDING TIME FOR
ROBERT D. BOSSI TO RESPOND TO
COMPLAINT**

Courtroom: 8, 19th Floor
THE HONORABLE CHARLES R. BREYER

STIPULATION

WHEREAS, on December 12, 2008, the Court granted in part and denied in part Defendants' motions to dismiss the Second Amended Complaint;

WHEREAS, under the Federal Rules of Civil Procedure, the remaining Defendants Gregory L. Reyes, Antonio Canova, Seth D. Neiman, Neal Dempsey, and Robert D. Bossi (collectively "Defendants") had to December 29, 2008, within which to file answers to the Second Amended Complaint;

WHEREAS, pursuant to stipulation of the parties, and this Court's Order dated January 7, 2009 (Dkt. No. 378), the Defendants' time to file a responsive pleading was extended to January 23, 2009;

WHEREAS, defendant Robert D. Bossi has requested additional time in which to file an answer to the Second Amended Complaint, and Brocade has agreed to such an extension of time;

IT IS HEREBY STIPULATED by and between the undersigned as follows:

Defendant Robert D. Bossi shall have until January 30, 2009 to file an answer to the Second Amended Complaint.

Dated: January 23, 2009

DEWEY & LEBOEUF LLP

/s/ Peter E. Root

Peter E. Root

Attorneys For Plaintiff
BROCADE COMMUNICATIONS
SYSTEMS, INC.

Dated: January 23, 2009

ORRICK, HERRINGTON & SUTCLIFFE
LLP

/s/ Michael David Torpey

Michael David Torpey

Attorneys For Defendant Robert D. Bossi

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Peter E. Root, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Extending Time for Robert D. Bossi to Respond to Complaint. In compliance with General Order 45.X.B., I hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 23rd day of January 2009, at East Palo Alto, California.

/s/ Peter E. Root
Peter E. Root

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: Jan. 28, 2009

